IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

1. Amrik Sngh & Ors. Vs. State of Rajasthan & Ors.

S.B.CR.MISC. PETITION NO.639/2005

2. Mukhtiyar Singh & Ors. Vs. State of Rajasthan & Ors.

S.B.CR.MISC. PETITION NO.622/2005

DATE OF ORDER :: Sept. 19, 2006

PRESENT

HON'BLE MR.JUSTICE H.R.PANWAR

Mr.V.K.Sharma, for the petitioners.
Mr.Ashok Upadhyaya, Public Prosecutor.
Mr.N.L.Joshi, for non-petitioner No. 3.

BY THE COURT:

By these two criminal misc. petitions under section 482 Cr.P.C., the petitioners seek quashing of FIR No.61/2005 dt. 8.2.2005 and 549/2004 for the offences under sections 453, 454, 447, 143 I.P.C. and 457, 380 I.P.C. respectively.

I have heard learned counsel for the petitioners and the Public Prosecutor for the State as well as the counsel appearing for the non-petitioner No.3. Carefully gone through the FIRs.

It is contended by the learned counsel for the petitioners that between the same parties there being another FIR being FIR No.549 dt. 23.11.2004 and, therefore, for the one and same occurrence, two FIRs have been lodged.

From the perusal of the FIRs No.61 dt. 8.2.2005 and 549 dt. 23.11.2004, it appears that both the FIRs have been lodged on different dates, times and for the different occurrences. FIR No.549 dt. 23.11.2004 has been lodged for the offences punishable under sections 457 and 380 I.P.C. In the circumstances, therefore, no ground for quashing the FIRs is made out.

Both the Cr. Misc. Petitions as well as the stay petitions are, therefore, dismissed.

[H.R.PANWAR],J.

m.asif/-